

**SCHOOL BUDGET REVIEW COMMITTEE[289]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 257.30, the School Budget Review Committee hereby amends Chapter 8, “Waivers or Variances from Administrative Rules,” Iowa Administrative Code.

During a routine review of rules, Department of Education staff discovered that Chapter 8 should be amended to reflect that waiver requests are handled by the Committee and not by the Department. The amendments in Items 1 to 3 address this discrepancy. Item 4 also adds more detail to the mailing address of the Committee.

A waiver provision is provided in 289—Chapter 8.

Notice of Intended Action was published in the October 6, 2010, Iowa Administrative Bulletin as **ARC 9126B**. Public comments were allowed until 4:30 p.m. on October 26, 2010. No written or oral comments were received.

These amendments are identical to those published under Notice.

These amendments shall become effective February 16, 2011.

These amendments are intended to implement Iowa Code sections 257.30 and 282.31.

The following amendments are adopted.

ITEM 1. Rescind the definitions of “Board,” “Department” and “Director” in rule **289—8.1(17A,ExecOrd11)**.

ITEM 2. Strike “department” wherever it appears in rules **289—8.3(17A,ExecOrd11)**, **289—8.6(17A,ExecOrd11)**, **289—8.7(17A,ExecOrd11)**, **289—8.8(17A,ExecOrd11)** and **289—8.12(17A,ExecOrd11)** and insert “committee” in lieu thereof.

ITEM 3. Strike “director” wherever it appears in rules **289—8.4(17A,ExecOrd11)**, **289—8.10(17A,ExecOrd11)**, **289—8.11(17A,ExecOrd11)**, **289—8.13(17A,ExecOrd11)**, **289—8.15(17A,ExecOrd11)** and **289—8.16(17A,ExecOrd11)** and insert “committee” in lieu thereof.

ITEM 4. Amend rule 289—8.5(17A,ExecOrd11) as follows:

**289—8.5(17A,ExecOrd11) Filing of petition.** All petitions for waiver must be submitted in writing to the ~~Director, Department of Education~~ School Budget Review Committee, Grimes State Office Building, 400 E. 14th Street, Des Moines, Iowa 50319-0146. If the petition relates to a pending contested case, the petition shall be filed in the contested case proceeding, using the caption of the contested case.

[Filed 12/13/10, effective 2/16/11]

[Published 1/12/11]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 1/12/11.